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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 TRUSTEES OF THE CONSTRUCTION
11 INDUSTRY AND LABORERS HEALTH
AND WELFARE TRUST, *et al.*,

12 Plaintiffs,

13 v.

14 WILLIAMS BROTHER, INC., *et al.*,

15 Defendants.
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Case No. 2:12-CV-00810-KJD-NJK

ORDER

17 Before the Court is the Report and Recommendation (#29) of Magistrate Judge Nancy J.
18 Koppe entered April 3, 2013, recommending that default judgment be entered against Defendant
19 Williams Brother, Inc., for abusive litigation tactics such as its failure to retain counsel. Though the
20 time for doing so has passed, no objection to the Report and Recommendation has been filed.

21 On February 26, 2013, the Magistrate Judge entered an order granting the motion to withdraw
22 by Defendant's attorney (#19). As part of that order, the court directed Defendant to retain counsel
23 and have counsel enter a notice of appearance no later than March 26, 2013. Furthermore, the court
24 expressly warned Defendant that if notice was not made, the court would recommend default be
25 entered against Williams Brother, Inc.
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1 Defendant has neither filed a notice of appearance nor a motion to extend time. The Ninth
2 Circuit has held that default judgment is an appropriate sanction for a corporation's failure to retain
3 counsel for the duration of the litigation. *United States v. High Country Broadcasting*, 3 F.3d 1244,
4 1245 (9th Cir. 1993). Furthermore, Defendant has not filed an objection to the Report and
5 Recommendation (#29). Pursuant to Local Rule IB 3-2, any objection to the Report and
6 Recommendation (#29) must be filed with the Clerk of the Court within 14 days of service. Because
7 of Defendant's willful disregard of the court's order to retain counsel, the Court finds that the
8 Magistrate Judge's recommendation of entry of default judgment should be adopted and affirmed.

9 **IT IS THEREFORE ORDERED** that the Report and Recommendation (#29) that default
10 be entered against Defendant Williams Brother, Inc. is **GRANTED**;

11 **IT IS FURTHER ORDERED** that the Clerk of the Court enter default as to Defendant
12 Williams Brother, Inc.

13 DATED this 25th day of June 2013.

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17 Kent J. Dawson
18 United States District Judge
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